

REMARKS

In view of the preceding amendments and the following remarks, reconsideration of the present application is respectfully requested.

Claims 1-10 were pending in the application and Claims 1 and 3-10 were rejected. Claim 2 was objected to. By this amendment, Claims 1-5 are amended, Claims 6-10 are cancelled, and Claim 11 is added. No new matter is introduced by these amendments.

Claims 1 and 3-10 were rejected under 35 USC §103(a) as being unpatentable over McBurney et al., in view of Kikuchi, et al. McBurney et al., was admitted to have failed to teach "an interconnecting network for communicating information related to said accurate, absolute time from the network server to the network client, and that imposes a non-deterministic time delay on messages; a message latency testing means for determining the fastest transit times of messages from the network server to the network client L1, and for determining the fastest transit times of return messages from the network client to the network server L2; and an offset calculator for computing said offset time from the average of the fastest transit times L1 and L2."

In other words, McBurney et al., is alleged to teach only the first two elements of Claim 1, e.g., (1) a network

server with a first navigation satellite receiver for computing accurate, absolute time, and (2) a network client with a second navigation satellite receiver and operating according to a relative time. The majority of elements of Claim 1 are alleged to be taught in Kikuchi, et al.

McBurney et al., is cited at column 4, lines 1-40, as teaching "a network server with a first navigation satellite receiver for computing accurate, absolute time". But such cite only mentions webserver 106, it does not speak to any computation of accurate time for use by the client. Nevertheless, Claim 1 is amended to more precisely and clearly state how this computation of time is related to the other elements of the claim. This is intended to distinguish the recitation over the cited prior art.

Embodiments of the present invention use a network server that knows GPS system time to provide estimates of that time at network clients so they can initialize their local GPS receivers quicker. This depends on a calculation of the network delay between the client and server so the estimated GPS system time when received at the client will be appropriately corrected for the expected network transmission delay.

Claim 1 has been amended to recite this structure better and more clearly.

Claim 1 recites the interconnecting network as a discrete element of the claim. Claim 3 recites only that the network server and client each provide for a connection to a data network.

Claim 3 has been amended to more precisely recite the intended subject matter. Claim 3 now more fully distinguishes over the cited prior art.

Kikuchi, et al., is alleged by the Office Action to "disclose that an interconnecting network for communicating information related to said accurate (col. 1, paragraph [0019]), absolute time from the network server to the network client (col. 1, paragraph [0021]), and that imposes a non-deterministic time delay on messages. See (col. 1 through col. 2, paragraphs [0019-0021]); a message latency testing means for determining the fastest transit times of messages from the network server to the network client L1 (col. 4, paragraph [0063], and col. 14, paragraph [0207]), and for determining the fastest transit times of return messages from the network client to the network server L2 (col. 4, paragraph [0069]); and an offset calculator for computing said offset time from the average of the fastest transit times L1 and L2 (col. 5, paragraphs [0083], and [0090])."

The delay times are used to control the timing at which the communicating unit 111 transmits the acknowledgement

packet in response to the received packet. End of paragraph [0063]. The delays encountered are used to measure communication performance or quality, not to establish an accurate estimate at a client of the GPS system time and any instant. Therefore, Kikuchi, et al., seems to deal with network delay times, but in an entirely different way and for a very different purpose than do embodiments of the present invention.

On page 5 of the Office Action, what is actually taught by McBurney et al., has been misstated by attempting to paraphrase the recitations of Claim 4. The Office Action alleges, "As to claim 4, McBurney et al. disclose a method for fast initialization of a navigation satellite receiver (Fig. 1, item 2), the method comprising the steps of: locking onto and tracking a first constellation of navigation satellites with a first navigation satellite receiver (col. 3, lines 40-50, and col. 4, lines 1-15); obtaining absolute time with said first navigation satellite receiver (col. 5, lines 40-52); providing a server on a network for transmitting said absolute time from said first navigation satellite receiver (col. 4, lines 10-20); connecting as a client to said network (col. 5, lines 12-22); initializing a second navigation satellite receiver located at said client with said report of said absolute time and said offset time such that it may find and lock

onto a second constellation of navigation satellites (col. 3, lines 40-50, and col. 5, lines 23-52); wherein, said second navigation satellite receiver is initialized more rapidly with a priori time information (col. 5 through col. 6, lines 52-34)."

McBurney et al., teaches communicating navigation data to the remote client to quicken its initialization. Nowhere in any of the cites does it teach "transmitting said absolute time from said first navigation satellite receiver". There is no mechanism taught in the reference for delivering accurate system time to the client. McBurney et al., col. 5 through col. 6, lines 52-34, were cited as teaching "said second navigation satellite receiver is initialized more rapidly with a priori time information". Such cite is just plain wrong, nothing at all in the Reference is not even close to teaching this.

Claim 5 recites the method of Claim 4 with the additional step of charging a fee for providing the time estimate. The Office Action erroneously alleges that "As to claim 5, McBurney et al. further disclose that comprising the step of: charging a fee to a user of said client for providing said a priori time information (col. 4, lines 53-62)." It does not. Such Reference never mentions supplying a priori time information for any purpose.

Claims 6-10 constitute one group of method claims wherein Claim 6 is the base claim. Various things alleged to be taught in McBurney et al., in combination with Kikuchi, et al., are cited in the Office Action. The common flaw in all these allegations is that the cited references do not teach using accurate time at the server to quicken the initialization of the GPS receiver at the client. Specifically, the path delays mentioned in Kikuchi, et al., are never used to estimate satellite system time at the client based on such time communicated by the server over a network whose delays have been calibrated.

Claims 6-10 are canceled because the base claim 6 simply recited computing the path delays between server and client. Claims 4-5 recite the intended subject matter in a way that distinguishes over the cited prior art.

Newly added Claim 11 essentially recites the subject matter recited in the Abstract. An important use of accurate system time made available during initialization of a cold-starting GPS receiver is to select which satellites are most likely to be visible given the local time and corresponding information from the almanac.

Claim 2 was indicated as allowable if rewritten in independent form with its base claim. Such proposal has been adopted here.

Accordingly, in view of the preceding amendments and remarks, it is respectfully submitted that the pending application, with pending Claims 1-5 and 11, is in condition for allowance and such action is respectfully requested.

Should the Examiner be of the opinion that a telephone conference with Applicant's attorney would expedite matters, he is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

Dated: 11/09/2004

By:

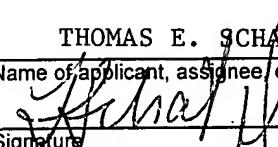

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